

COTTONWOOD HEIGHTS

RESOLUTION NO. 2012-50

A RESOLUTION GRANTING REQUESTS FOR INDEMNIFICATION

WHEREAS, on or about 5 January 2012, Chief E. Robby Russo, Mark Askerlund, Dan Bartlett and Randy Maurer (collectively, the “*Officers*”) of the police department of the city of Cottonwood Heights (the “*City*”) were served as defendants in an action styled *Douglas A. Abeloe v. E. Robby Russo, Mark Askerlund, Dan Bartlett and Randy Maurer* that is pending in the United States District Court for the District of Utah, Central Division, as Civil No. 2:12-cv-00839 (the “*Lawsuit*”); and

WHEREAS, the Officers timely have filed requests for indemnification (the “*Requests*”) with the City as required by UTAH CODE ANN. §63G-7-902; and

WHEREAS, the city council (the “*Council*”) of the City met in regular session on 11 September 2012 to consider, among other things, granting the Requests; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to grant the Requests and, by so doing, to agree to defend and indemnify the Officers for all judgments, compromises or settlements of claims based on the acts or conduct by the Officers specified in the Lawsuit;

NOW, THEREFORE, BE IT RESOLVED by the Cottonwood Heights city council that the City hereby grants the Requests and hereby agrees to defend and indemnify the Officers for all judgments, compromises or settlements of claims based on the acts or conduct of the Officers specified in the Lawsuit.

This Resolution, assigned no. 2012-50, shall take effect immediately upon passage.

PASSED AND APPROVED effective 11 September 2012.

COTTONWOOD HEIGHTS CITY COUNCIL




Linda W. Dunlavy, Recorder

By 
J. Scott Bracken, Mayor Pro Tempore

VOTING:

Kelvyn H. Cullimore, Jr.	<i>Absent</i>
Michael L. Shelton	Yea <input checked="" type="checkbox"/> Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/> Nay <input type="checkbox"/>
Michael. J. Peterson	Yea <input checked="" type="checkbox"/> Nay <input type="checkbox"/>
Tee W. Tyler	Yea <input checked="" type="checkbox"/> Nay <input type="checkbox"/>

DEPOSITED in the office of the City Recorder this 11th day of September 2012.

RECORDED this __ day of September 2012.

584451.1